



State of Utah

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DEPARTMENT OF TRANSPORTATION

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MEMORANDUM

TO: Consultants

FROM: UDOT Cultural Resource Staff

DATE: November 26, 2007

SUBJECT: Changes in Requirements to Conduct Cultural Resource Investigations for UDOT Projects or in UDOT Right-of-way.

The Utah Department of Transportation (UDOT), the Federal Highway Administration (FHWA), the Utah State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (Council) recently executed a Programmatic Agreement (PA) regarding Section 106 implementation for federal-aid transportation projects in Utah. This agreement can be found at <http://www.udot.utah.gov/main/f?p=100:pg:::::1:T,V:288>. Execution of this PA has resulted in changes in UDOT's Section 106 review process. These changes will be documented in the revised *UDOT Guidelines for Archaeological Survey and Testing* (current version found on the UDOT website) within the next year; the major ones are outlined below.

APE and Level of Effort

As stated in 36 CFR § 800.4(a) and (b), it is the agency's responsibility to determine and document the area of potential effects (APE) and the level of effort, in consultation with the SHPO/THPO. The PA requires that the SHPO be consulted on the APE and level of effort on all projects whose environmental document is an Environmental Assessment (EA) or an Environmental Impact Statement (EIS), or on projects for which a Categorical Exclusion (CE) is completed that are non-routine or have the potential for substantial indirect and/or cumulative effects. This consultation will be completed by the UDOT Region Archaeologist and/or Architectural Historian (see PA Attachment 3).

If you are the archaeologist or architectural historian on a project, it will be necessary for you to contact the UDOT Region Archaeologist and/or Architectural Historian to discuss the APE and level of effort prior to submitting a fieldwork authorization. It is recommended that you contact them before you bid on a project. If they receive a Fieldwork Authorization Form or a

report without having been contacted by you on the APE and level of effort, these items may be rejected out of hand, or at the least you may have to revisit the APE and do additional fieldwork, which could cost you money and cause delays for the project. A Fieldwork Authorization Form is required for every project for which fieldwork will be done, and is sent to the Region Archaeologist well before beginning fieldwork.

SHPO Consultation

For projects where the UDOT Region Archaeologist or Architectural Historian make a finding of "no historic properties affected" on federally funded projects, UDOT submits the reports and site forms to the SHPO on a quarterly basis. Because of this, not all site forms and reports will be available immediately for a record search at the Division of State History, Records Section. Do not submit any reports and site forms directly to the SHPO's office, but submit them to UDOT.

Site Recording and Architectural Photographs

The SHPO's office has revised their guidelines for submitting photographs for architectural surveys (http://history.utah.gov/historic_preservation/documents/RLSPACK2007.pdf). If submitting photographs in a digital format, use a contact print mockup when printing the photographs. Consultants can obtain a copy of an MS Word document at SHPO that has a table set up for 12 photos and captions per page that uses the required format. These photographs will be printed out on glossy, high-quality photo paper in black and white, in addition to the photographs included in the report. Digital photographs should also be submitted on a CD, for final submission to SHPO.

Bridges will be recorded on the historic site form. Rural homesteads/farmsteads are recorded on the IMACS form, but will include a supplemental historic site form for the buildings.

Historic Boundaries

When you are recording architectural properties, the historic boundary for the historic properties (i.e., those eligible for the National Register of Historic Places [NRHP]) must be defined. Although we are not generally nominating these properties to the NRHP, boundaries are necessary to define "use" under Section 4(f). For assistance in defining boundaries, please refer to the National Register Bulletin *Defining Boundaries for National Register Properties*. There are a couple of things to keep in mind when defining boundaries in an urban setting: 1) the current legal parcel is often the historic boundary, particularly for houses built in the 1950s and 1960s; 2) the legal parcel may extend to the center of the road, but the separation of private space (the residence and yard) and the public space (the road and sidewalk) is generally behind the sidewalk, or behind the curb and gutter if there is no sidewalk; 3) although many older homes in urban areas were once part of larger farmsteads, these farms have been broken up and subdivided, especially post-WWII. The result is that for most of these properties, it is only the property now defined by the current tax parcel boundary that retains integrity; and 4) for historic farmsteads, consider the historic use of the property, which may include open spaces (fields), natural land forms, or natural resources that were integral to the property's historic use (e.g., creeks or rivers) (see the National Register Bulletin *Guidelines for Evaluating and Documenting Rural Historic Landscapes*).

Reports

For every project for which you are conducting both the archaeological and the architectural survey, two reports will be produced. This will allow the reports to be filed in the appropriate location at the Division of State History and ensure that sensitive archaeological information is not available to the public in the Historic Preservation Section. The primary report will contain the resource with the greatest numbers (whether archaeological or architectural). This report will include all of the information as outlined in the *UDOT Guidelines for Archaeological Survey and Testing* (UDOT 2000). The second report can be brief, even a letter report, as long as it references the primary report that has the detailed information. The maps in the reports will distinguish between the archaeology survey area and the architectural survey area, if they are different, and will distinguish between the APE and the survey area, if they are different. Be prepared to make enough copies of the report(s), both draft and final, for all consulting parties, the UDOT region office, SHPO, and the Advisory Council. Be prepared to provide electronic copies of the final report(s) to UDOT. It is recommended that you contact the UDOT cultural staff before submitting any documents.

For architectural surveys, the consultant will obtain a copy of the database for the representative community from the Historic Preservation Section of the Division of State History prior to beginning fieldwork. For architectural surveys of more than 20-25 buildings, a CD will be burned for submittal to SHPO that contains the updated database and a printout of the database will be included as part of the report. If there are fewer than 20-25 buildings, they will be recorded on historic site forms (available at http://history.utah.gov/historic_preservation/documents/SiteForm.pdf).

Summary

As discussed at the beginning of this memo, the UDOT cultural resource staff intends to update in the coming months the guidance for cultural resource investigations currently found on our website. As a consultant working on a UDOT project or on UDOT right-of-way, you are expected to follow this guidance (including the changes or additions discussed in this memo), unless directed otherwise by the UDOT Region Archaeologist or Architectural Historian. Please feel free to contact us at any time with your questions or comments. Following is a list of the current UDOT cultural staff:

Region 1 – Jennifer Elsen, 801-620-1635, jelsken@utah.gov
Region 2 – Chuck Easton, 801-975-4923, ceaston@utah.gov
Region 3 – Jason Bright, 801-227-8062, jasonbright@utah.gov
Region 4 – Pam Higgins, 435-893-4740, phiggins@utah.gov
Region 4 – Laurel Glidden, 435-865-5562, lglidden@utah.gov
Statewide (architecture) – Elizabeth Giraud, 801-965-4917, egiraud@utah.gov
Statewide (program) – Betsy Skinner, 801-965-4159, eskiner@utah.gov